

**MASSAGE THERAPISTS AND BODY WORKERS
ADVISORY COUNCIL
April 13, 2004**

MEMBERS: Claude Gagnon, Carie Martin, Mary Ellen Martin,
Lillian Pounds, Amy Remillard, Vlad Thomas (arrived
9:26am), and Xiping Zhou

STAFF PRESENT: Kimberly Nania, Ph.D., Bureau Director, William Black,
Legal Counsel; Gina York, Bureau Assistant

MEMBER EXCUSED: Pat Sweeny, Educational Approval Board; and
Betsy Krizensky, American Massage Therapy
Association Wisconsin Chapter

CALL TO ORDER

Kimberly Nania called the meeting to order at 9:04 a.m. There was a quorum of 7 members.

APPROVAL OF AGENDA

MOTION: Claude Gagnon moved, seconded by Mary Ellen Martin, to approve the
agenda as written. Motion carried unanimously.

ELECTIONS OF OFFICERS

The MTBW Council held elections at their April 13, 2004 meeting.

MOTION: Xiping Zhou moved, seconded by Mary Ellen Martin, to nominate
Claude Gagnon for Chair. Motion carried unanimously.

MOTION: Amy Remillard moved, seconded by Mary Ellen Martin, to nominate
Carie Martin for Vice Chair. Motion carried unanimously.

MOTION: Xiping Zhou moved, seconded by Amy Remillard, to nominate
Lillian Pounds for Secretary. Motion carried unanimously.

The results from the Council's elections are as follows:

ELECTION RESULTS	
CHAIR	Claude Gagnon
VICE CHAIR	Carie Martin
SECRETARY	Lillian Pounds

APPROVAL OF MINUTES OF FEBRUARY 10, 2003

The minutes of February 10, 2003, minutes were approved as written by consensus.

ADMINISTRATIVE REPORT

Kimberly Nania, Bureau Director of Health Service Professions, informed the MTBW Council of their role and ways they protection the public. Dr. Nania shared the basics of the new policies and procedures being rolled out to all Boards. An annual meeting with Board chairs will be held to look what was accomplished during the year and to set future goals for the upcoming year. Due to the passing of Act 118, there is a new process for handling rules. Each proposed rule will need to go through an analysis prior to developing and rules will only be going up to the legislature once or twice a year. The DRL Website has been revamped and is more user friendly. Individuals can now download applications to complete and send in to the Department. The future goal is to have individuals be able to apply on-line. The codebooks are available in their entirety on the website. Currently the office building is under renovation and has a target date for completion by the end of the year.

REPORT ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

Bill Black, Legal Counsel, reviewed the report with the MTBW Council at today's meeting.

FYI: CREDENTIALING: CHANGE TO BLUE LICENSE

Informational only.

SUBMISSION OF PROPOSED RULES TO THE MASSAGE THERAPY AND BODYWORK COUNCIL AS REQUIRED BY WIS. STATS. § 460.04 (3) (A)

Bill Black, Legal Counsel, reviewed in detail the draft of the proposed rules pertaining to Wis. Statutes 460.04 (3)(A) with the MTBW Council at today's meeting. The Council provided additional revisions to these rules during the review. Attorney Black will make the revisions as indicated and he will forward them through the rulemaking process. Attorney Black shared with

the Council the process that these rules will go through during the next several months and answered questions they had surrounding this topic. The Council took the following actions.

MOTION: Amy Remillard moved, seconded by Mary Ellen Martin, to change the three hours from CPR to a science portion of the rules. Motion carried unanimously.

MOTION: Amy Remillard moved, seconded by Vlad Thomas, to change the rule to read, “practice massage therapy or body work on a client without first obtaining the written informed consent of the client and has informed the client they may withdraw consent at any time”. Motion carried unanimously.

Chair Gagnon informed the Council that the NCBTMB is accredited by the NCCA and he recommends schools share with students that would not allow them to practice.

Pat Sweeney, Educational Approval Board, shared with the Council that the EAB approves schools not individuals but it will send information through the waiver route.

The Council discussed whether to have continuing education (CE) requirements for MTBW’s. When considering CE requirements the Council will need to look at the following:

- ◆ number of required CE’s,
- ◆ approved courses for CEs,
- ◆ approved techniques for courses (workshops, distance learning, etc.),
- ◆ specific courses required for CE (Ethics and Boundaries, CPR, etc.)
- ◆ granting professional hardships

The Council unanimously recommended to develop some type of CE requirements . The Council will gather more information regarding CE’s and check to see what other states are doing. Kimberly Nania, Betsy Krizenesky, and Sally Haacking will work together on this issue. All Council members will bring back to the next meeting their recommendations for CE. Attorney Black stated that CE’s could probably go into these rules.

CORRESPONDENCE AND PHONE INQUIRIES BY LEGAL COUNSEL

There were no correspondence or phone inquiries to be presented by Bill Black, Legal Counsel, at today’s meeting.

INFORMATIONAL ITEMS

Kimberly Nania discussed with the Council three areas of responsibility of Council members. One was the confirmation of a quorum for a meeting. If any Council member will not be able to attend a meeting they must contact Dr. Nania as soon as possible so we can confirm if we still have a quorum. She also alerted the Council regarding what constitutes a walking quorum.

Secondly, she reviewed the Department's hotel policy for no shows it is as follows:

DEPARTMENT POLICY

1. If the Board Member is not going to use the reserved hotel room, it is the ***responsibility of the Board Member*** to cancel the room by calling the hotel themselves. If the room is not cancelled, the Board Member would be responsible to pay the bill.
2. If we cancel a meeting because of lack of quorum or no business, it should be the Department's responsibility to cancel any room reservations.

And finally, the confirmation of meeting dates with the Council for the rest of 2004. The dates are as follows: July 20, 2004 and October 19, 2004. The Council was informed that there will likely be no July meeting but Kimberly Nania will let them know.

VISITOR COMMENTS

Betsy Krizensky, American Massage Therapy Association invited the Council to attend the upcoming meeting of the association scheduled for April 20, 2004.

CONVENE TO CLOSED SESSION

MOTION: Vlad Thomas moved, seconded by Lillian Pounds, to adjourn to closed session pursuant to Wisconsin state statutes 19.85(1)(a)(b)(f) and (g) – roll call for the purpose of proposed stipulations; administrative warnings; request for full licensure; monitoring; application review; and case status reports. Claude Gagnon-yes, Carie Martin –yes, Mary Ellen Martin –yes, Lillian Pounds –yes, Amy Remillard –yes, Vlad Thomas-yes, and Xiping Zhou-yes. Motion carried unanimously.

Open Session recessed at 11:38 a.m.

RECONVENE INTO OPEN SESSION

MOTION: Vlad Thomas moved, seconded by Lillian Pounds, to reconvene into open session at 11:50 a.m. Motion carried unanimously.

MONITORING

REQUEST FOR FULL LICENSURE FROM LIMITED STATUS

JANET KOYEN

MOTION: Vlad Thomas moved, seconded by Lillian Pounds, to grant full licensure to Janet Koyen. Motion carried unanimously.

**DELIBERATION OF MONITORING ISSUES THAT MAY BE RECEIVED
AFTER THE MAILING OF AGENDA**

None.

DIVISION OF ENFORCEMENT – CASE STATUS REPORT

None.

CONSULTING WITH LEGAL COUNSEL

The Council consulted with Bill Black, Legal Counsel, throughout the meeting as needed.

OTHER SECTION BUSINESS

None.

ADJOURNMENT

MOTION: Carie Martin moved, seconded by Mary Ellen Martin, to adjourn the meeting at 12:08 p.m. Motion carried unanimously.

Next Meeting:

July 20, 2004